



Wind Permitting Session Law 2013-51

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Wind Permitting Process under H484





Wind Permitting Process under H484

- Permit Decision will be made within 90 days of receiving a complete permit application
- Department will solicit information on impact from nearby major military installations and from local governments
- A permit may be issued conditional on the applicant taking other mitigation measures and obtaining other permits





Military Protection

- The applicant must inform DENR of the status of the applicant's engagement with the Federal Aviation Administration and the Department of Defense Siting Clearinghouse.
- DENR shall deny an application for a permit if it finds construction or operation of the wind facility would have significant adverse impact on the mission, training, or operation of the military.





Environmental Protection

- The applicant is required to identify the optimum areas where the construction activities would pose minimal risk to natural resources and uses.
- The statute requires the applicant to present comprehensive studies of:
 - (i) noise impacts of the turbine;
 - (ii) shadow flicker impacts of the turbines; and
 - (iii) the impact on natural resources and uses, including avian, bat, and endangered and threatened species.





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- DENR may deny the permit if:
 - The construction of the facility would violate rules of the Department or any provision of law;
 - The facility would have significant adverse impact on:
 - operations of the military;
 - ecological systems, natural resources, cultural sites, recreation areas, etc.;
 - fish or wildlife; and
 - views from any state or national park, etc.





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- DENR may deny the permit if:
 - The facility would obstruct major navigation channels; or
 - The applicant is not in compliance with all applicable federal, State, or local permit requirements, licenses, or approvals, including local zoning requirements.





Questions?

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